

# Exhibit 107

*United States of America ex rel. Ven-a-Care of the Florida Keys, Inc. v. Boehringer Ingelheim Corp. et al.*

Civil Action No. 07-10248-PBS

Exhibit to the July 24, 2009, Declaration of James J. Fauci  
In Support of Plaintiff's Motion for Partial Summary Judgment and  
In Opposition to the Roxane Defendants' Motion For Partial Summary Judgment

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**From:** WATERER, JUDY ROXUS  
**Sent:** Thursday, July 20, 2000 9:23 AM  
**To:** POWERS, JOHN ROXUS  
**Cc:** VIA,TOM SLS BIPUS  
**Subject:** RE: Kaiser - CCP

Now - that's another situation... We can do something based on "meeting competition". We need to determine what their use is, what they will commit to in terms of conversion, and what we need to do to meet the competitive situation....

-----Original Message-----

**From:** POWERS, JOHN ROXUS  
**Sent:** Thursday, July 20, 2000 9:44 AM  
**To:** WATERER, JUDY ROXUS  
**Cc:** VIA,TOM SLS BIPUS  
**Subject:** Kaiser - CCP

Judy,

My conversation with Elizabeth did not go as planned Wednesday. I discussed the AWP spread, the additional price reduction, the market share program, the sole generic positioning, but after discussing the options with her boss Rich Lieblich, unless we will provide a fixed price, Roxane will not have a CCP agreement with Kaiser. Apparently BMS has provided Kaiser an attractive discounted fixed price agreement, so unless we beat it, we're left out.

*John R. Powers*

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